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FAX

To:	Company	Fax #:	Telephone #:
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From: Edwin V. Merkel	Date: November 7, 2003	No. of Pages: (including this page) 21	
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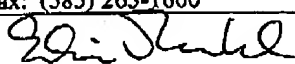
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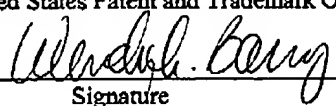
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From: Edwin V. Merkel	Date: November 7, 2003	No. of Pages: (including this page) 21	Client/Matter: 22221/1030
User #: 5420	Ext: 1128	Disbursement Amount: \$	

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/716,964
		Filing Date	November 21, 2000
		First Named Inventor	O'Donnell et al.
		Group Art Unit	1652
		Examiner Name	R. Hutson
Total Number of Pages in This Submission	20	Attorney Docket Number	22221/1030 (RU 339CIP)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply with Exhibits A-C <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Notification Regarding Loss of Entitlement to Small Entity Status Pursuant to 37 CFR §§ 1.27(g)(2) and 1.28(c)
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Edwin V. Merkel Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1128 Fax: (585) 263-1600
Signature	 Registration No. 40,087
Date	November 7, 2003

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
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11/7/03 Date	 Signature Wendy L. Barry Typed or printed name

FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 55

Application Number 09/716,964
Filing Date November 21, 2000
First Named Inventor O'Donnell et al.
Examiner Name R. Hutson
Art Unit 1652
Attorney Docket No. 22221/1030 (RU 339CIP)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 14-1138

Deposit Account Name Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
15	-20** = 0	X	= 0
Independent Claims	2	-3** = 0	X = 0
Multiple Dependent		X	= 0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater, for Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	2053	130	Non-English specification
1812	2,520	2182	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	2184	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	2185	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	410	2252	205	Extension for reply within second month
1253	930	2253	465	Extension for reply within third month
1254	1,450	2254	725	Extension for reply within fourth month
1255	1,970	2255	985	Extension for reply within fifth month
1401	320	2401	160	Notice of Appeal
1402	320	2402	160	Filing a brief in support of an appeal
1403	280	2403	140	Request for oral hearing
1451	1,510	2451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	2460	130	Petitions to the Commissioner
1807	50	2187	50	Processing fee under 37 CFR 1.17(q)
1806	180	2186	180	Submission of Information Disclosure Stmt
8021	40	2021	40	Recording each patent assignment per property (times number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	2802	900	Request for expedited examination of a design application

Notification Regarding Loss of Entitlement to Small Entity Status

55

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 55

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11/7/03
Date

Signature

Wendy L. Barry

Typed or printed name

SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
Edwin V. Merkel	40,087	(585) 263-1128
Signature	Date	November 7, 2003

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PATENT

Docket No.: 22221/1030 (RU 339CIP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	O'Donnell et al.)	Examiner:
)	R. Hutson
Serial No.	:	09/716,964)	
)	Art Unit:
Cnfrm No.	:	2211)	1652
)	
Filed	:	November 21, 2000)	
)	
For	:	ENZYMES DERIVED FROM)	
		THERMOPHILIC ORGANISMS THAT)	
		FUNCTION AS A CHROMOSOMAL)	
		REPLICASE, AND PREPARATION AND)	
		USES THEREOF)	

**NOTIFICATION REGARDING LOSS OF ENTITLEMENT
TO SMALL ENTITY STATUS PURSUANT TO 37 CFR §§ 1.27(g)(2) and 1.28(c)**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby advise the U.S. Patent and Trademark Office ("PTO") that on or about February 1, 2003, the above-identified application was licensed to a large entity. Pursuant to 37 CFR § 1.28(b), it is therefore requested that the small entity status accorded to the present application be withdrawn and that this application be given large entity status.

Pursuant to 37 CFR § 1.28(c), the PTO is hereby authorized to charge Deposit Account No. 14-1138 in the amount of \$55.00, which represents the deficiency payment due for the above-identified application as shown in the itemization below.


Date	Action - Fees Paid	Amount Paid (Small Entity)	Current Fee (Large Entity)	Amount Owed
March 18, 2003	One-Month Extension	\$55	\$110	\$55
Current Deficiency Owed				\$55

- 2 -

The Commissioner is authorized to charge any other necessary fees or credit any overpayment to the above-noted Deposit Account.

Respectfully submitted,

Date: November 7, 2003


Edwin V. Merkel
Registration No. 40,087

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
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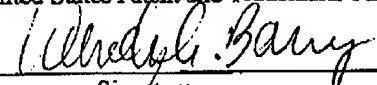
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11/7/03

Date

Typed or printed name


Signature
Wendy L. Barry